

HOUSE COMMITTEE ON HIGHER EDUCATION

Hearing Date: March 25, 2021 8:00 AM

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COMMENTS FOR: HB 1707

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James (Jim) Camp, MR

W. W. Norton Austin Representative

Manchaca, TX

HB 1707 has been filed in the Texas Legislature that, in my opinion, could significantly limit a higher education institution's ability to continue using a textbook affordability program, like Inclusive Access.

Please see the list below enumerating how your institution might be adversely affected if the proposed legislation is enacted into law.

HB 1707 could primarily and potentially:

- \* Result in increased costs to students and limits choice for students and limit academic freedom and choice for faculty.

Additionally HB 1707 could potentially:

- Stifle academic freedom and undermine the instructor's rationale behind their course materials selection process and the method in which they want students to access those materials.
- Severely restrict a successful and affordable course materials delivery model fully equipped with instructor support materials and student learning resources such as assessments, quizzes, personalized learning tools, videos, interactive simulations etc. which improve retention and student outcomes.
- Limit student and faculty choice of quality and diverse content developed by top scholars and with input from educators, students and educational institutions.
- Require institutions to change from an opt-out to opt-in process, resulting in a heavy administrative burden to the school and increased costs to students. Data on opt-in programs reported by National Association of College Stores (NACS) show a higher cost to students than traditional opt-out programs. Additional operational processes, enrollment reporting and agreement disclosures are also burdensome to the institution.
- Result in over-regulating institutions of higher education on how they select low-cost course material programs. Significantly changes the structure of how institutional stakeholders made up of administrators, faculty, staff and students collaboratively choose no-cost and low-cost course material programs.
- Conflict with U.S. Department of Education federal regulations, which mandates an opt-out policy, by only allowing opt-in as an option.

HB 1027 specifically would:

- Require the institution to increase tuition, resulting in broader implications on student costs across the institution by including the cost of course materials and enterprise software (i.e. Learning Management Systems, Distance Learning Applications, Remote Proctoring Applications, Virtual Labs, Assessment Software, etc.) in the cost of tuition instead of assessing a separate fee, which is currently the case, ultimately raises the cost for all students.

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David Tatom

self/publisher's representative

Mansfield, TX

I am writing in opposition to HB 1707 and HB 1027. My perspective is shaped by 36 years working in the college publishing industry - half of those years as an editor, and half as a sales representative. In either job, most of my time has been spent talking

with college instructors about the challenges they face, and doing what I can to help them and their students succeed. It has been very noticeable that their job has become more difficult over the years. Students arrive at college less prepared than they did years ago, and don't enjoy reading like they used to. More and more students struggle with college costs. Many students are on financial aid, and don't purchase the course materials they need until well into the semester, and some attempt to pass their courses without having to read the assigned material. Technology has offered some helpful solutions, with online programs that display video, maps, equations, and the like, and can make these courses more engaging. However, even then, using the programs can sometimes be frustrating (as computer issues frustrate all of us from time to time). Imagine how happy instructors were when Inclusive Access programs appeared. Every student now has all of the course materials, including etexts and online study aids, on the first day of class, leveling the playing field of opportunity for each student. Students now pay the lowest prices for textbooks in years, making success more attainable for all students. As an example, I visit Tarrant County College in my current job, where they sell my firm's etexts for between \$32 net and \$67 net. And finally, we work with the college to place the materials in the existing learning management system the students already use - there is no separate registration, access codes, or struggles to contact technical support. In summary, students now get the lowest possible costs for course materials, textbooks enhanced with additional study aids, and equal/no hassle access to give them the best chance of competing with their peers. Please don't add government regulation that would increase student costs and limit the freedom of teachers to select the most appropriate materials for their student demographic. Inclusive access programs increase the likelihood of better grades, more learning, increased graduation rates, and a better society for us all.

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Lauren Banister

TexPIRG

Austin, TX

POSITION: FAVORABLE

Dear Chair Murphy, Vice Chair Pacheco, and Committee Members,

TexPIRG is a state based, non-partisan, citizen funded public interest advocacy organization with grassroots members across the state. For forty five years we've stood up to powerful interests whenever they threaten our health and safety, our financial security, or our right to fully participate in our democratic society.

We urge you to support HB1707 to institute common sense consumer protections for Texas students. Students need access to the full cost and range of choices for classes when financially planning for a semester, including cost related to course materials.

Textbook affordability is a consistent problem for students. In 2016, research from the Student PIRGs found that over \$3 billion in federal financial aid is spent on textbooks every year. And in 2020, our research found that 65% of students have skipped buying textbooks because of their high cost.

If we want a future where financial cost is not a barrier to student success in higher education we must protect students as vulnerable consumers.

Students are smart, and will work to cut costs however they can. Most students already make decisions on which classes to take based on the cost of materials. One out of five students report dropping a class due to the materials cost. Giving students access to course material information when they register for class will allow them time to shop around, find the best deal, and prevent surprise charges on their tuition.

Many automatic textbook billing contracts are unfavorable towards students. They include limits on the number of print copies available, uncapped annual price increases, steep quotas for students enrolled and restrictions on how the school communicates about opting out. Many of these deals fail to fully disclose their discount structure, meaning if a student is automatically opted in it would be difficult to tell if they are getting the best deal.

HB1707 provides vital consumer protections for students. Students deserve the flexibility to know the full cost of their classes, shop around, and opt into the best deal. Limiting their options by automatically enrolling them into these programs is bad for

students and overall textbook affordability.

Thank you for introducing this legislation and we urge favorable reports.

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Ethan Tobias

TexPIRG Students

Austin, TX

Dear Chair Murphy, Vice Chair Pacheco, and Committee Members,

I am writing in support of HB 1707. This bill provides vital consumer protections for students in the textbook market.

Automatic textbook billing practices restrict students' choices by automatically billing us, often with little or no notification, for textbooks at publisher specified prices, eliminating the used markets and textbooks sharing.

For the past three semesters I had to find side jobs whether it was helping my neighbors with miscellaneous tasks or having to run Favors and Uber Eats orders to cover my textbook costs. Trying to estimate the amount of money needed in order to cover these costs for the upcoming semester. Most times I didn't even know the cost of these textbooks until or during the first day of class. It's always a stressful time when looking to see how much textbooks are gonna cost me and or try to guess how much money I need to get an education.

I know that this is not a problem that only I have experienced. I had a friend who had to drop an important class because she couldn't afford the textbook price and couldn't budget beforehand. The State of Texas shouldn't limit future leaders because of a book.

This bill will implement much needed protections around textbook billing practices that will maintain student choice and allow us to financially plan for a semester.

I urge you to vote yes on SB 1707.

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